

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 260 OF 2005

Chamaria Polytex Pvt. Ltd. & Ors. .. Petitioners

V/s

Union of India & ors. .. Respondents

Mr. M.P. Vashi for the Petitioners.

Mr. S.R. Ghaisas for Respondents Nos.2 and 3.

CORAM : H.L. GOKHALE &
S.C. DHARMADHIKARI, JJ.

DATE : 27TH JANUARY 2005

P.C. :

1. Heard Mr.Vashi for the Petitioners. Mrs.Ghaisas appears for Respondents Nos.2 and 3.

2. The impugned action is under section 13 of the Securitization Act and an appeal is available under section 17 thereof. Mr.Vashi submits that the court fees are exorbitant. That cannot be an argument for this court to entertain the petition. All that we say is that Respondent No.3 Bank may take formal possession and not oust the 3rd and 4th Petitioners from the concerned flat for a period of 4 weeks, within which the Petitioners may file an appeal, if so advised.

3. Petition is dismissed.

(H.L. GOKHALE, J.)

(S.C. DHARMADHIKARI, J.)